



WEB COPY



W.P.No.2009 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.2009 of 2024

Pachiyammal Kalidass

... Petitioner

Vs.

1.The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai – 600 005.

2.The Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai, Chepauk,
Chennai – 600 005.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 2nd respondent to execute a Sale Deed in respect of the land admeasuring about 600 sq.ft. bearing door No.72, Kalaivanar Colony, Anna Nagar West Extension, Chennai – 600 101, at Padi Village, comprised in S.No.253/15, Ambattur Taluk, situate within



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the registration district of Chennai Central, and Sub Registration district of Thiruvallur, which was allotted to the writ petition by the 2nd respondent (Tamil Nadu Slum Clearance Board) vide the allotment order number S.M.N.10859/1995 E3, dated 01.04.1995 taking in consideration the petitioner's representation dated 17.10.2023.

For Petitioner : Mr.T.Mathi

For Respondents : Mr.M.Rajendiran
Additional Government Pleader [R1]
Mr.Karthikeyan [R2]

ORDER

The petitioner has come up with this writ petition seeking a direction upon the 2nd respondent to execute a sale deed in respect of the land admeasuring about 600 sq.ft. bearing door No.72, Kalaivanar Colony, Anna Nagar West Extension, Chennai – 600 101, at Padi Village, comprised in S.No.253/15, Ambattur Taluk, which was allotted to her by the 2nd respondent, by considering her representation dated 17.10.2023 seeking execution of sale deed.



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2. The petitioner claims that she is the owner of the land admeasuring about 600 sq.ft. bearing door No.72, Kalaivanar Colony, Anna Nagar West Extension, Chennai – 600 101, at Padi Village, comprised in S.No.253/15, Ambattur Taluk, which was allotted by the 2nd respondent to the petitioner, for which, she has paid necessary charges as claimed by the 2nd respondent. The 2nd respondent also issued NOC to the petitioner for obtaining electricity service connection and water connection and sewage connection from the 2nd respondent. Even after payment of the entire amount, no sale deed was executed in favour of the petitioner. Therefore, the petitioner has filed the present writ petition before this Court for appropriate orders.

3. Though very many grounds have been raised in this writ petition, the learned counsel appearing for the petitioner submits that it would suffice, if this Court, issues a direction to the 2nd respondent to verify whether the petitioner has paid the entire amount or not and thereafter, pass appropriate orders for execution of sale deed in favour of the petitioner, within a time frame that may



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be fixed by this Court.

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4. The learned counsel appearing for the 2nd respondent submitted that initially, without verifying the fact that the subject land is classified as water body, the 2nd respondent has issued allotment order in respect of the subject land in favour of the petitioner. However, thereafter, the 2nd respondent has realized that the said fact and hence, if a person is in occupation of the water body, the 2nd respondent has no power to execute a sale deed unless they get a clarification from the State Government or approval from the competent authority, thereby the 2nd respondent did not execute any sale deed in favour of the petitioner. Accordingly, he prays for dismissal of this writ petition.

5. Heard both sides and perused the materials available on record.

6. Admittedly, the 2nd respondent has issued an allotment order in favour of the petitioner in respect of the subject land. Subsequently, the 2nd respondent came to know that the subject land is classified as water body and has not



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executed the sale deed in favour of the petitioner. It is pertinent to note that if a person is in occupation of the water body, the 2nd respondent has no power to execute a sale deed, unless there is a clarification from the State Government or approval from the competent authority, even though an allotment order was issued in his favour. Therefore, the prayer sought by the petitioner cannot be granted.

7. However, it is made clear that if the 2nd respondent decides to evict the petitioner from the subject land despite the allotment order issued by the 2nd respondent, the said respondent shall consider for providing alternative allotment to the petitioner as per the letter dated 16.11.2023.

8. With the above observations and direction, this Writ Petition stands disposed of. No costs.

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes/No

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To

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M.DHANDAPANI, J.

sp

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